

# M E M O R A N D U M

TO: Kathleen Allen, Administrator  
Ethics Administration

FROM: Robin Gremillion, Director  
Disclosure Division *RC*

DATE: January 29, 2016

DOCKET: 2016-086

RE: LAWLOR, BRIAN E.  
Tier 2.1 Annual Personal Financial Disclosure Statement covering 2013  
New Orleans Workforce Investment Board  
Late Fee: \$1500  
**WAIVER REQUEST**

Brian Lawlor served on the New Orleans Workforce Investment Board from November 2011 through August 2014. Mr. Lawlor has filed five disclosure statements and/or amendments with this agency.

On January 14, 2016, Mr. Lawlor timely requested a waiver of late fees related to the above referenced disclosure statement. Mr. Lawlor stated that his failure to file the disclosure statement was an error. He thought he was not required to file disclosure statements with this agency because he was already filing disclosure statements with the City of New Orleans. He stated that once he was informed on the requirement, he complied. The chronology follows:

## Tier 3 Annual Personal Financial Disclosure Statement covering 2013

- Original PFD due date: May 15, 2014
- NOD-FF Received: January 31, 2015
- PFD due date based on receipt of NOD: February 10, 2015
- PFD filed: July 7, 2015
- Days late from receipt of NOD: 86
- Total days late from initial due date: 419
- Late Fee Order Received: December 30, 2015
- Payment or waiver request due date: January 19, 2016
- Waiver request received: January 14, 2016

Other PFD Late Fees: No

Other CF Late Fees: No

Other Outstanding Disclosures: No

Prior Disclosure Late Fees: No

Reassessed Late Fees: No



STATE OF LOUISIANA  
DEPARTMENT OF STATE CIVIL SERVICE  
**LOUISIANA BOARD OF ETHICS**

P.O. BOX 4368  
BATON ROUGE, LA 70821  
(225) 219-5600  
FAX: (225) 381-7271  
1-800-842-6630  
[www.ethics.state.la.us](http://www.ethics.state.la.us)

**CERTIFIED MAIL**

**NO. 70132250000226962991**

**RETURN RECEIPT REQUESTED**

January 28, 2015

Brian E. Lawlor  
1301 Marengo Street  
New Orleans, LA 70115

**NOTICE OF DELINQUENCY - FAILURE TO FILE**

**Statement covering 2013**

**New Orleans Workforce Investment Board**

Pursuant to La. R.S. 42:1124.4, if a person fails to file a Personal Financial Disclosure Statement as required by 42:1124, 1124.2, 1124.2.1, or 1124.3; omits information; or files inaccurately, a Notice of Delinquency shall be issued. A review of our records indicates that we have not received your Personal Financial Disclosure Statement covering 2013.

**You have 7 business days from the date of receipt of this Notice** to file your Tier 2.1 Personal Financial Disclosure Statement covering 2013, or to submit an Answer explaining why you feel you are not required to file a Personal Financial Disclosure Statement. Failure to file a Personal Financial Disclosure Statement or an Answer within the 7 business days will subject you to an automatic late fee of \$50 per day up to a maximum of \$1,500. Proof of timely filing is determined by the U.S. Postal Service postmark; receipt from the U.S. Postal Service; or receipt from a commercial delivery service.

The form for the Tier 2.1 Personal Financial Disclosure Statement (Form 417) is available on the Louisiana Board of Ethics website at [www.ethics.state.la.us](http://www.ethics.state.la.us). If you have any questions, you may contact a Disclosure Division employee at 225/219-5600 or 800/842-6630.

*AN EQUAL OPPORTUNITY*

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Dr. L. E. Lawlor

1301 Marengo Street  
New Orleans, LA 70115



**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*X P [Signature]*

☐ Agent

☒ Addressee

B. Received by (Printed Name)

*1-31-15*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail®

☐ Priority Mail Express™

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☒ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7013 2250 0002 2696 2991

PS Form 3811, July 2013

Domestic Return Receipt

LOUISIANA BOARD OF ETHICS

Post Office Box 4368  
Baton Rouge, Louisiana 70821

2013 JUL -8 AM 8:22

**TIER 2.1 PERSONAL FINANCIAL DISCLOSURE STATEMENT**  
(ANNUAL)

☒ ORIGINAL REPORT

☐ AMENDED REPORT

This Report Covers Calendar Year: 2012

2013

☐ I currently hold an office that would require me to file a Tier 3 Personal Financial Disclosure Statement.  
As such, I have completed SCHEDULE E.

Name of Filer (print full name)

BRIAN E. LAWLOR

Mailing Address

1301 MARENGO ST.

City, State, Zip

NEW ORLEANS, LA. 70115

Name of Board/Commission (no abbreviations):

WORKFORCE INVESTMENT BOARD

Date of Appointment:

11/1/11

11/1/13 - REAPPOINTED

Date Appointment Expires:

10/31/13

8/1/14 - Resigned effective 8/1/14

Name of Spouse (print full name)

ELEANOR M. DeCOURSEY

Spouse's Occupation

SELF EMPLOYED - ATTORNEY

Principal Business Address

113 SARATOGA ROAD

City, State, Zip

GLENVILLE, NEW YORK 12302

**CHECK ONE:**

- ☐ Neither I, nor any member of my immediate family, have a personal or financial interest in any entity, contract, or business, or a personal or financial relationship, that in any way poses a conflict of interest, which would affect the impartial performance of my duties as a member of the board or commission.
- ☐ I have attached a statement describing any conflicts, and actions I am taking to resolve or avoid the conflicts.

Check all that apply:

- ☒ I have filed my state income tax return for the previous year.
- ☐ I have filed for an extension of my state income tax return for the previous year.
- ☒ I have filed my federal income tax return for the previous year.
- ☐ I have filed for an extension of my federal income tax return for the previous year.

NOTE: La. R.S. 42:1124.2.1 does not provide you the opportunity to request an extension in filing your personal financial disclosure statement.

**Certification of Accuracy**

I do hereby certify that the information contained in this personal financial disclosure statement is true and correct to the best of my knowledge and belief.

Brian E. Lawlor

Signature of Filer

www.ethics.state.la.us

NO CHANGES from 2012

RL



STATE OF LOUISIANA  
DEPARTMENT OF STATE CIVIL SERVICE  
**LOUISIANA BOARD OF ETHICS**

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**CERTIFIED MAIL**

**NO. 70151520000288905568**

**RETURN RECEIPT REQUESTED**

December 11, 2015

Brian E. Lawlor  
1301 Marengo Street  
New Orleans, LA 70115

RE: Tier 2.1 Annual Personal Financial Disclosure Statement for calendar year 2013  
New Orleans Workforce Investment Board  
**Late Fee Assessment – Report: PFD15011528**

Dear Mr. Lawlor:

Enclosed is an assessment of a late fee pursuant to La. R.S. 42:1124.4. Please submit a check or money order in the amount of \$1,500 payable to the *Louisiana State Treasurer*, Post Office Box 4368, Baton Rouge, Louisiana 70821.

You have 20 days from the receipt of this letter to submit payment or dispute this assessment. To dispute the assessment, you may elect to:

- **Request a waiver to the *Board of Ethics***  
If you choose to request a waiver of the late fee, your request should include specific details, along with supporting documentation, as to why, in your opinion, you have *good cause* for not timely filing the report and why the late fee should be reduced, suspended, or waived. The request should be submitted to the attention of: *Louisiana Board of Ethics*, Post Office Box 4368, Baton Rouge, Louisiana 70821. You may also fax the request to 225/381-7271. Also, if you would like to appear before the Board of Ethics in connection with your request, you should state that in your request. If you request an appearance, you will be notified of the place and time prior to the meeting.
- **Appeal the assessment directly to the *Ethics Adjudicatory Board***  
If you choose to appeal the assessment of the late fee, the proceedings will go before a three judge panel of administrative law judges. The panel will determine if you were required to file the disclosure statement and whether the disclosure statement was filed late. Mitigating factors are not considered. The Ethics Adjudicatory Board does not have the authority to reduce, suspend, or waive a late fee assessment. If you choose to *appeal* the assessment, you should submit your request to the attention of: *Executive Secretary*, Ethics Administration, Post Office Box 4368, Baton Rouge, Louisiana 70821. You may also fax the request to 225/381-7271.

If you do not pay, dispute, or appeal the assessment of the late fee, the matter will be forwarded to the Attorney General's Office to pursue collection. If the matter is forwarded to the Attorney General's Office for collection, you may be responsible for all additional costs incurred. Additionally, late fees not paid by the due date will be posted on the agency website.

You should be aware that unpaid fines, fees, or penalties may have an adverse effect on your ability to run for public office, as the *Board of Ethics* will object to your candidacy in future elections pursuant to La. R.S. 18:491 and 18:492.

If you have any questions, you may contact Robin Gremillion at 225/219-5600 or 1-800-842-6630.

Sincerely,

*Donna Bourgeois*

Donna Bourgeois  
Administrative Coordinator

**STATE OF LOUISIANA  
BOARD OF ETHICS**

**In Re: Tier 2.1 Annual Personal Financial Disclosure Statement 2013  
New Orleans Workforce Investment Board  
Late Fee Assessment – Report: PFD15011528**

**ORDER**


BRIAN E. LAWLOR was required to file a Tier 2.1 Annual Personal Financial Disclosure Statement for calendar year 2013 pursuant to La. R.S. 42:1124 et seq.

On , BRIAN E. LAWLOR received a Notice of Delinquency for failing to file the disclosure statement. The notice required that the disclosure statement be filed by February 10, 2015 (pursuant to La. R.S. 42:1124.4). BRIAN E. LAWLOR filed the Tier 2.1 Annual Personal Financial Disclosure Statement for calendar year 2013 on July 7, 2015 and was 147 days late.

La. R.S. 42:1124.4 authorizes the assessment of a \$50 late fee per day (not to exceed \$1,500) against BRIAN E. LAWLOR for this late filing.

Accordingly, **IT IS ORDERED** that a late fee of \$1,500 be assessed against BRIAN E. LAWLOR for failing to timely file the Tier 2.1 Annual Personal Financial Disclosure Statement for calendar year 2013.

**ORDER** signed on the 11th day of December 2015 at Baton Rouge, Louisiana.

  
\_\_\_\_\_  
Robin Gremillion, Director  
Disclosure Division

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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1 Article Addressed to:

Brian E. Lawlor  
1301 Marengo Street  
New Orleans, LA 70115



5568



9590 9403 0963 5223 0533 80

2. Article Number (Transfer from service label)

7015 1520 0002 8890 5568

PS Form 3811, July 2015 PSN 7530-02-000-9053

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

☐ Agent☒ Addressee

B. Received by (Printed Name)

BRIAN LAWLOR

C. Date of Delivery

12/30/15

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☒ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery

ed Mail

ed Mail Restricted Delivery

(\$500)

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery☒ Return Receipt for Merchandise☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

2016 JAN 14 AM 10:59

Brian E. Lawlor  
P.O. Box 750817  
New Orleans, Louisiana 70175

January 14, 2016

Louisiana Board of Ethics  
P.O. Box 4368  
Baton Rouge, LA 70821

**RE: REQUEST FOR WAIVER** – by fax @ 225/381-7271  
Late Fee Assessment – Report PFD15011528

Dear Members of the Board of Ethics:

Please accept this request for an opportunity to appear and to request a waiver of the late fee assessment for my filing of my Tier 2.1 Annual Personal Financial Disclosure Statement.

My late filing was a result of an error and has been corrected.

I served as the City of New Orleans' Director of Housing Policy and Community Development from July 1, 2011 to August 1, 2014. In this capacity, I timely filed all annual financial disclosure statements requested and required by the City of New Orleans. As part of my responsibilities, Mayor Mitchell J. Landrieu appointed me to the New Orleans Workforce Investment Board. I served on that Board from November 2011 until my resignation from City service.

I was unaware that my appointment to the Board required me to file additional financial disclosure statements with the State of Louisiana. My first communication from the Board of Ethics came nearly six months after I left my employment at the City of New Orleans and resignation from the New Orleans Workforce Investment Board.

At the time of receipt of the I checked and verified with the City of New Orleans' Ethics staff that all my financial disclosure filings were complete. I assumed that this would resolve the matter. Thereafter, I received further communication that identified an investigator for the matter. I immediately contacted the investigator, was informed that my filings with the City did not satisfy the State requirements. That day, I filed the requested disclosure and was told that the matter was closed.



Please accept this explanation as acceptable good cause to waive the penalty for the late filing of my financial disclosure forms. If available, I also request that I may appear before the Board to explain these circumstances.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian E. Lawlor". The signature is fluid and cursive, with a large, stylized "B" and "L".

Brian E. Lawlor



590 MADISON AVENUE  
8TH FLOOR  
NEW YORK, NY 10022  
212.759.7025  
FAX 646.735.6950  
www.joneswalker.com

## FACSIMILE

From: Susan Schroeder  
Direct Dial: 646-735-6999  
Direct Fax: 646-735-6998  
Date: Thursday, January 14, 2016 2:44:46 PM

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Number of pages being transmitted including the cover page: 03

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To: LOUISIANA BOARD OF ETHICS  
Fax No.: 1-225-381-7271

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### WAIVER REQUEST ON BEHALF OF BRIAN LAWLOR

Please call us if all pages are not received 212.759.7025

Circular 230: As a result of certain perceived abuses, the Treasury Department has promulgated regulations that require all attorneys and accountants who provide certain written communications to a client to include an extensive analysis and disclosure in such written communications. To comply with our obligations under these regulations, we wish to inform you that this communication does not contain all of such analysis and disclosure and was not written or intended by us to be used, and may not be used, by any taxpayer for the purpose of avoiding any tax penalty that may be imposed on the taxpayer. In addition, any tax advice contained in this communication may not be used to promote, market or recommend a transaction.

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JONES WALKER LLP

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ALABAMA ARIZONA CALIFORNIA DISTRICT OF COLUMBIA FLORIDA GEORGIA LOUISIANA MISSISSIPPI NEW YORK OHIO TEXAS

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**bettyz**

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**01-14-2016 /14:43**

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